IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 343 OF 2004

The State of Maharashtra ..Appellants

versus

Mahamudmiya I. Patel & Ors. ..Respondents

Mr. S. N. Gawade, AGP for the Appellants.

CORAM : D. G. DESHPANDE,J.

DATE : 5TH JULY,2005

ORAL ORDER :

1. Heard learned AGP for the appellants - State.

2. This appeal is filed against the judgment of the Reference Court regarding enhancement of compensation by the Reference Court from Rs.1.5 per sq. meter to Rs.15/- per sq. meter. The Reference Court has taken into consideration the judgment of this court as per Exhibit ’50’ relating to the lands situate at Village Owe where compensation at the rate of Rs.20/- per sq. meter was granted on the basis of the criteria i.e. the distance of the acquired land from the National Highway. The Reference Court also found that the acquired land in the present case was 1.5 k.ms. away from Mumbai

Pune Highway and therefore it was not entitled to Rs.20/- per sq. meter but was entitled to Rs.15/- per sq. meter.

3. There is nothing wrong in the judgment and approach of the court. No interference is called for. Appeal is dismissed.

5.7.2005 (D.G. DESHPANDE, J.)